REMARKS

In the Final Office Action[1], the Examiner rejected claims 16-31 under

35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,664,978 to Kekic et al.

("Kekic").

By this Amendment, Applicants propose to amend claims 16-19 and 24-26.

Claims 16-31 are currently pending, with claims 16-18 being independent. Claims 1-15

have been previously canceled, without prejudice or disclaimer. Based on the foregoing

amendments and following remarks, Applicants respectfully request reconsideration and

withdrawal of the rejection.

I.   § 102(a) Rejection of Claims 16-31

Applicants respectfully traverse the rejection of claims 16-31 under

35 U.S.C. § 102(a) as being anticipated by Kekic. In order to properly anticipate claims

under 35 U.S.C. § 102, a cited reference must explicitly disclose each and every

element recited in the claims. See M.P.E.P. § 2131 (8th ed., August 2005 rev.).

Applicants submit that Kekic does not disclose, either explicitly or inherently, each and

every element recited in claims 16-31. For example, amended independent claim 16

recites, among other things, "creating a run-time context data structure, the run-time

context data structure being based on a design-time context data structure, the design-

time context data structure including a context structure element that is bound to the UI

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1 The Final Office Action contains a number of statements and declarations reflecting
characterizations of the related art and the claims. Regardless of whether any such
statement is identified herein, Applicants decline to automatically subscribe to any
statement, declaration, or characterization in the Final Office Action.

element," and "storing the run-time context data structure in a storage area that relates to the controller."

The Examiner asserted that <u>Kekic</u> teaches each and every element recited in amended independent claim 16. <u>Final Office Action</u> at 3 and 4. In particular, the Examiner asserted that "Kekic teaches structure based on the Model-View-Control (MVC) design pattern that is used in almost every GUI class library." Even assuming, *arguendo*, that <u>Kekic</u> teaches structures based on Model-View-Control (MVC) design pattern, <u>Kekic</u> fails to teach at least "creating a run-time context data structure, the run-time context data structure being based on a design-time context data structure, the design-time context data structure including a context structure element that is bound to the UI element," and "storing the run-time context data structure in a storage area that relates to the controller," as recited in amended independent claim 16.

<u>Kekic</u> is clear that "[e]ach client object falls into one of these [model, view, and controller] three categories of objections." <u>Kekic</u>, col. 55, lines 34-36. Amended independent claim 16 recites "a view presenting a model, the view having at least one user interface (UI) element and relating to a controller." Amended independent claim 16 further recites, among other things, "a run-time context data structure" that is neither a view, nor a model, nor a controller. <u>See</u>, e.g., FIG. 1. Because <u>Kekic</u> teaches that each client object falls into one of a view object, a model object, and a controller object, <u>Kekic</u> does not disclose a client object that is neither a view, nor a model, nor a controller. Thus, <u>Kekic</u> fails to teach "creating a run-time context data structure, the run-time context data structure being based on a design-time context data structure, the design-

time context data structure including a context structure element that is bound to the UI element," as recited in amended independent claim 16.

The Examiner's further assertion confirms that Kekic fails to disclose a client object that is neither a view object, nor a model object, nor a controller object. The Examiner asserts that "[c]ontrary to the [Applicants'] argument, Kekic teaches 'Class Attribute is a sub-class of class MibObject.'" Final Office Action at 3. The Examiner asserts that "Class Attribute provides run time information such as polled value(s), previously polled value, and instance numbers if it is a table attribute." Id. (Emphasis in original.) "The polled value is stored as a string object if it is a leaf Attribute object." Id. (Emphasis in original.)

A fundamental problem with the Examiner's assertion is that all of the alleged teachings related to MibObject are disclosed under "Server Structure" section of Kekic. The description of "Server Structure" in Kekic starts in col. 72, line 34, and ends in col. 92, line 52, and the Examiner cites to column 76, lines 1-30, for the alleged teachings related to MibObject. MibObject, its sub-class Class Attribute, a table Attribute object, or a MibTableIndex object is not a client object, and has nothing to do with "a run-time context data structure," as recited in amended independent claim 16. Thus, Kekic also fails to teach "storing the run-time context data structure in a storage area that relates to the controller," as recited in amended independent claim 16.

For at least these above reasons, Kekic fails to disclose each and every element recited in amended independent claim 16. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(a) rejection of amended independent claim 16 based on Kekic.

Amended independent claims 17 and 18, although of different scope, recite features that are similar to the features recited in amended independent claim 16. Amended independent claims 17 and 18 are thus allowable at least for reasons similar to the reasons set forth with respect to amended independent claim 16. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(a) rejection of claims 17 and 18 based on Kekic.

Claims 19-31 depend from amended independent claim 18. Thus, claims 19-31 incorporate the features that are missing from Kekic, as discussed above. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(a) rejection of claims 19-31 based on Kekic.

II.   Conclusion

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 16-31 in condition for allowance. Applicants submit that the proposed amendments of claims 16-19 and 24-26 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.
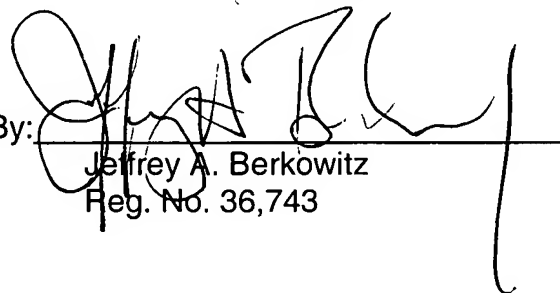
Please grant any extensions of time required to enter this Amendment and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 9, 2009   By: _____
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